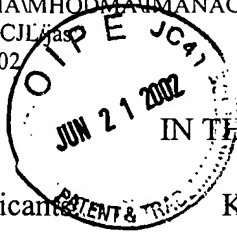


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kin Chung Fung, R. David Nurme, Antoinette Yacobian and Michael Yacobian

Application No.: 10/081,020

Group Art Unit: 2163

Filed: February 21, 2002

Examiner: Not yet assigned

Title: System and Method for Measuring and Analyzing Performance Data

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>6/17/02</u>	<u>[Signature]</u>
Date	Signature
<u>Judith Simen</u>	
Typed or printed name of person signing certificate	



INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Concord, MA 01742-9133

Dated:

6/17/02

PTO-1465 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION June 17, 2002 (Use several sheets if necessary)			ATTORNEY DOCKET NO. 3183.1000-001		APPLICATION NO. 10/0817020	
			APPLICANT Kin Chung Fung et al.		JUN 27 2002	
			FILING DATE February 21, 2002		GROUP 2163 GROUP 3600	

U.S. PATENT DOCUMENTS						
EXAM- INER INI- TIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AA	5,722,418	03/03/98	Bro	128	732	
AB	5,808,908	09/15/98	Ghahramani	364	551.01	
AC	5,810,747	09/22/98	Brudny et al.	600	595	
AD	5,953,707	09/14/99	Huang et al.	705	10	
AE	5,954,510	09/21/99	Merrill et al.	434	236	
AF	6,016,486	01/18/00	Nichols	706	47	
AG	6,029,159	02/22/00	Zorba et al.	706	47	
AH	6,125,358	09/26/00	Hubbell et al.	706	11	
AI	6,151,582	11/21/00	Huang et al.	705	8	
AJ	6,157,808	12/05/00	Hollingsworth	434	350	
AK						

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
AR	U.S. Publication No. 20010011280, Gilbert, E.S. et al., "Computer Based Training System," date published 8/2/01.
AS	U.S. Publication No. 20010008999, Bull, J.A., "Method and System for Tracking Employee Productivity in a Client/Server Environment, date published 7/19/01.
AT	

EXAMINER	DATE CONSIDERED
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